

REMARKS

This is in response to the office action dated February 21, 2006 (Paper No./Mail Date 200600210).

Claims 1-8, 10-17, and 19-26 are presented for consideration. Claims 9 and 18 were previously cancelled. No claim is currently amended. No matter is added.

Claims 1, 2, 3, 10, 11, 12, 19, 20, and 21 are currently rejected under 35 U.S.C. §102(b) as being anticipated by Hamzy (U.S. Pat. 6,604,111 B1). Applicants respectfully disagree.

Before noting the basic difference between the present invention, and the cited Hamzy reference, it may be advantageous to briefly summarize the Hamzy reference. Hamzy explains that a major contributor to lengthy print delays is the time it takes to transfer print data from one computing device to another, such as through a network or directly to a printer.

This transit time increases with complexity of an image to be printed (col. 1, lines 20-28) since print data typically include binary image data (col. 1, line 37), which is large by nature and grows with image complexity. Thus, print data take a long time to transfer to a printer (col. 1, lines 28-41), which subsequently results in a long wait time for a print job.

Hamzy therefore explains that a method to reduce the wait time for a print job is to avoid the transmission of print data, altogether, as is done in the OS/2 operating system. This method requires that both a computer console and a printing device understand the same OS/2 commands and have access to the same print-data-generating resources. In essence, the method consists of observing the computer console as print data is being generated, and recording all the steps used in the generation of the print data (col. 1, lines 42-44). This results in a meta-file (i.e. text file) of instructions that avoids the use of print data, and is thus much smaller than the print data itself (col. 1, lines 44-49). Hamzy explains that by following the instructions in the meta-file, the original print data may be reproduced (col. 1, lines 49-51). Using this approach, one can transmit the meta-file (instead of the print data) to the printing device, and the printing device follows the instructions in the meta-file to reproduce the print data to be printed.

Although this method succeeds in speeding up the transmission of a print job to a printing device, Hamzy explains that this method is tied to the OS/2 operating system. Thus, Hamzy suggests using the print services available in the

JAVA Virtual Machine, JVM, to make the method compatible with more operating systems (col. 2, lines 18-29). Basically, Hamzy suggest having the JVM installed on both a computer console and on a printing device (such as a print server), and recording all the JVM commands and services used by the computer console during the generation of print data. This results in a JVM meta-file of print instructions. This JVM meta-file is sent to the printing device, which follows the instructions to recreate the print data and initiate printing.

The main point is that Hamzy teaches to eliminate the use of print data, and to replace it with a meta-file. This is in direct conflict with the teachings of the present invention, which require the inclusion of print data in addition to commands that store the included print data to a specific location within a printer. For example, claim 1 recites, inter alia:

- (a) a step for creating the *print data*;
 - (b) a step for *creating a command data set* for storing *the print data* in the non-volatile storage in the target printer;
 - (c) a step for creating a *data storage file containing both the print data and the command data set*; and
 - (d) a file output step for *storing the data storage file in a data storage medium* readable by a host device, or *for sending the data storage file to the host device via a communication path*;
- wherein the print data is stored in non-volatile storage in the target printer in accordance with the command data set *upon the host device reading the data storage file*.

From the above excerpt, it is clear that the present invention requires the inclusion of "print data" in addition to a "command data set" into a "data storage file", and further requires the transfer of the "print data" (within the data storage file) to the host device. Claims 10 and 20 have similar limitations requiring the inclusion of print data.

As is explained above, this is in direct conflict with the teachings of Hamzy, and thus is not taught or suggested by Hamzy. Furthermore, since Hamzy directly teaches away from the inclusion of print data, the Hamzy reference cannot be combined with any reference that requires the inclusion of print data, since such an inclusion would render Hamzy's invention inoperable for its intended purpose. That is, the purpose of Hamzy's invention is to speed up the transfer of print jobs to a printing device by eliminating the use of print data.

On April 18, Applicants discussed the above issues with Examiner Kang in a scheduled interview. Examiner Kang agreed that the Hamzy reference teaches against the transfer of print data to a printing device, while the present invention, by contrast, requires the transfer of print data to a printing device. Thus, at least the rejected under 35 U.S.C. §102(b) based on the Hamzy reference appear inappropriate. However, since Examiner Kang's supervisor was not able to join us for the interview, Examiner Kang was unable to make any commitments regarding the prosecution of the present invention. Examiner Kang, therefore suggested that the discussed issues be submitted as a Response After Final Rejection, and he agreed to discuss the issues with his supervisor when the response arrived. This Response After Final Rejection is being submitted in accordance with Examiner's Kang's request.

This Response After Final Rejection is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. §1.116. At the very least, however, it is believed clear that the formal rejection has been overcome. Accordingly, entry of this Response After Final Rejection, as an earnest attempt to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, he is respectfully requested to contact applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

Respectfully submitted,



Rosalio Haro
Registration No. 42,633

Please address all correspondence to:

Epson Research and Development, Inc.
Intellectual Property Department
150 River Oaks Parkway, Suite 225
San Jose, CA 95134
Phone: (408) 952-6131
Facsimile: (408) 954-9058
Customer No. 20178

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